



Virginia
Regulatory
Town Hall

Final Regulation Agency Background Document

Agency Name:	20
VAC Chapter Number:	21
Regulation Title:	Licensure Regulations for School Personnel
Action Title:	Amend Licensure Regulations to Establish a Career Switcher Alternative Route to Licensure for Military Personnel
Date:	November 1, 2000

Please refer to the Administrative Process Act (§ 9-6.14:9.1 *et seq.* of the *Code of Virginia*), Executive Order Twenty-Five (98), Executive Order Fifty-Eight (99) , and the *Virginia Register Form, Style and Procedure Manual* for more information and other materials required to be submitted in the final regulatory action package.

Summary

Please provide a brief summary of the new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment; instead give a summary of the regulatory action. If applicable, generally describe the existing regulation. Do not restate the regulation or the purpose and intent of the regulation in the summary. Rather, alert the reader to all substantive matters or changes contained in the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. Please briefly and generally summarize any substantive changes made since the proposed action was published.

In response to the 1999 Appropriation Act (Item 127D) and Senate Joint Resolution 384, a study of alternative routes to licensure, specifically reviewing Texas and New Jersey programs, was completed and submitted to the Board of Education and the General Assembly. The study concluded that a task force should be convened to develop a model program to enhance the alternative route to licensure in Virginia for military personnel, as well as other career professionals desiring to teach. The task force, composed of teachers, principals, superintendents, representatives from professional organizations and higher education, made recommendations for the establishment of a program.

The “career switcher” program is applicable to all teaching areas except special education. Two demonstration pilot programs for military personnel, funded by the General Assembly, were approved for implementation during the 2001-2002 school year. The pilots, including a summer intensive professional induction program held concurrently in Tidewater and northern Virginia from July 10 to July 28, 2000, an induction year of teaching with an assigned mentor, and a recommendation by the employing school superintendent for a regular license, were designed to be successfully completed in one year .

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency: including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

The Virginia Board of Education approved the amendment to the Licensure Regulations for School Personnel on October 19, 2000.

Basis

Please identify the state and/or federal source of legal authority to promulgate the regulation. The discussion of this statutory authority should: 1) describe its scope and the extent to which it is mandatory or discretionary; and 2) include a brief statement relating the content of the statutory authority to the specific regulation. In addition, where applicable, please describe the extent to which proposed changes exceed federal minimum requirements. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority, shall be provided. If the final text differs from that of the proposed, please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the final regulation and that it comports with applicable state and/or federal law.

Code of Virginia, Section 22.1-16. **Bylaws and regulations generally** states: "The Board of Education may adopt bylaws for its own government and promulgate such regulations as may be necessary to carry out its powers and duties and the provisions of this title."

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-16>

Code of Virginia, Section 22.1-298. **Regulations governing licensure** states: "The Board of Education shall, by regulation, prescribe the requirements for the licensure of teachers. Such regulations shall include a requirement that every teacher seeking initial licensure take a professional teacher's assessment prescribed by the Board. Notwithstanding any provision of law to the contrary, the Board may provide for the issuance of a provisional license, valid for a period not to exceed three years, to any person who does not meet this requirement or any other requirement for licensure by law. <http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-298>

Purpose

Please provide a statement explaining the need for the new or amended regulation. This statement must include the rationale or justification of the final regulatory action and detail the specific reasons it is essential to protect the health, safety or welfare of citizens. A statement of a general nature is not acceptable, particular rationales must be explicitly discussed. Please include a discussion of the goals of the proposal and the problems the proposal is intended to solve.

The purposes of the amendment to the Licensure Regulations for School Personnel to establish a career switcher alternative route to licensure for military personnel are: (1) to increase the pool of qualified applicants for teaching positions, (2) increase the diversity of the teaching force in Virginia, and (3) provide an alternative means of preparing career switchers to become teachers.

Substance

Please identify and explain the new substantive provisions, the substantive changes to existing sections, or both where appropriate. Please note that a more detailed discussion is required under the statement of the regulatory action's detail.

The proposed amendment to the Licensure Regulations for School Personnel is as follows:

CHAPTER 21 LICENSURE REGULATIONS FOR SCHOOL PERSONNEL

Part I Definitions

8VAC20-21-10. Definitions.

The following words and terms, when used in this chapter, shall have the meanings indicated unless the context clearly implies otherwise:

"Accredited institution" means an institution of higher education accredited by a regional accrediting agency recognized by the United States Department of Education.

"Alternative route to licensure" means one route to licensure available to individuals employed by a Virginia educational agency who meet the guidelines specified in 8VAC20-21-80.

"Approved program" means a professional education program recognized as meeting state standards for the content and operation of such programs so graduates of the program will be

eligible for state licensure. The Board of Education has the authority to approve programs in Virginia.

"Cancellation" means the annulment, voiding, or invalidation of a teaching license following voluntary surrender of the license by the license holder.

"Collegiate Professional License" means a five-year, renewable license available to an individual who has satisfied all requirements for licensure, including the professional teacher's assessment prescribed by the Board of Education.

"Competency" means a capability or skill that a person possesses and can demonstrate, given the appropriate resources and conditions. As used in this chapter, a competency refers to a behavior that a licensure candidate should be able to demonstrate prior to being issued a teaching license. In most cases, entry level proficiency relative to the competency is specified rather than desired mastery level proficiency.

"Content area course work" means courses at the undergraduate level (i.e., two-year or four-year institution) or at the graduate level that will not duplicate previous courses taken in the humanities, history and social science, the sciences, mathematics, health and physical education, and the fine arts. These courses are usually available through the college or department of arts or sciences.

"Denial" means the refusal to grant a teaching license to a new applicant or to an applicant who is reapplying after the expiration of a license.

"Division Superintendent License" means a five-year, renewable license available to an individual who has completed an earned master's degree from an accredited institution of higher education and meets the requirements specified in 8VAC20-21-590. The individual's name must be listed on the Board of Education's list of eligible division superintendents.

“Eligibility License” means a one-year license dated July 1-June 30. The “eligibility license” is issued upon successful completion of level I of the career switcher program. This license requires a bachelor’s degree from a regionally accredited institution; the completion of teaching area requirements for an endorsement in a content area as set forth in the Board of Education’s licensure requirements outlined in the publication, *Licensure Regulations for School Personnel*, July 1, 1998, or the equivalent through verifiable experience or academic study; and Virginia qualifying scores on Praxis I (Reading, Writing, and Mathematics) and Praxis II (subject area assessments). If the “eligibility license” expires prior to the individual receiving employment in Virginia, the license holder must reapply for the second “eligibility license.” The intensive program (level I) must be repeated if the individual has not gained employment prior to the expiration of the second “eligibility license.”

"Postgraduate Professional License" means a five-year, renewable license available to an individual who has qualified for the Collegiate Professional License and who holds an appropriate earned graduate degree from an accredited institution.

"Provisional License" means a nonrenewable license issued for a period of three years to individuals who have been employed by a Virginia educational agency and meet the requirements specified in 8VAC20-21-50 A 4.

"Pupil Personnel Services License" means a five-year, renewable license available to an individual who has earned an appropriate graduate degree from an accredited institution with an endorsement for guidance counselor, school psychologist, school social worker, or visiting teacher. This license does not require teaching experience.

"Reciprocity" means an agreement between two or more states that will recognize and accept one another's regulations and laws for privileges for mutual benefit. See 8VAC20-21-90 for conditions for teacher licensure by reciprocity.

"Revocation" means the annulment by recalling, repealing, or rescinding a teaching license.

"Special Education Conditional License" means a three-year, nonrenewable teaching license issued to an individual employed as a special education teacher in a public school or a nonpublic special education school in Virginia who does not hold the appropriate special education endorsement but meets the criteria specified in 8VAC20-21-50 A 5. This conditional license is not applicable to individuals employed as speech pathologists.

"Suspension" means the temporary withdrawal of a teaching license.

"Technical Professional License" means a five-year, renewable license available to a person who has graduated from an accredited high school (or possesses a General Education Development Certificate); has exhibited academic proficiency, technical competency, and occupational experience; and meets the requirements specified in 8VAC20-21-50 A 3.

8VAC20-21-50. Types of licenses; dating of licenses.

A. The following types of licenses are available:

1. Collegiate Professional License. The Collegiate Professional License is a five-year, renewable license available to an individual who has satisfied all requirements for licensure, including the professional teacher's assessment prescribed by the Board of Education.

2. Postgraduate Professional License. The Postgraduate Professional License is a five-year, renewable license available to an individual who has qualified for the Collegiate Professional License and who holds an appropriate earned graduate degree from an accredited institution.

3. Technical Professional License. The Technical Professional License is a five-year, renewable license available to a person who has graduated from an accredited high school (or possesses a General Education Development Certificate); has exhibited academic proficiency, technical competency, and occupational experience; and has completed nine semester hours of specialized professional studies credit from an accredited college or university. The nine semester hours of

professional studies course work must include human growth and development (three semester hours), curriculum and instructional procedures (three semester hours), and applications of instructional technology or foundations of education (three semester hours). The Technical Professional License is issued at the recommendation of an employing educational agency in the areas of vocational education, educational technology, and military science. In addition to demonstrating competency in the endorsement area sought, the individual must:

- a. Hold a license issued by the appropriate Virginia board for those program areas requiring a license and a minimum of two years of satisfactory experience at the journeyman level or an equivalent;
- b. Have completed a registered apprenticeship program and two years of satisfactory experience at the journeyman level or an equivalent level in the trade; or
- c. Have four years of work experience at the management or supervisory level or equivalent or have a combination of four years of training and work experience at the management or supervisory level or equivalent.

Individuals holding the Technical Professional License who seek the Collegiate Professional or Postgraduate Professional License must meet the professional teacher's assessment requirement.

4. Provisional License. The Provisional License is a three-year, nonrenewable license available to individuals who are employed by a Virginia educational agency and are:

- a. Entering the teaching field through the alternative route to licensure upon recommendation of the employing educational agency;
- b. Failing to meet an allowable portion of general, professional, or specific endorsement requirements;
- c. Seeking the Technical Professional License; or
- d. Eligible for licensure but need to complete successfully the professional teacher's assessment prescribed by the Board of Education.

5. Special Education Conditional License. A Special Education Conditional License is a three-year, nonrenewable teaching license issued to an individual employed as a special education teacher in a public school or a nonpublic special education school in Virginia who does not hold the appropriate special education endorsement. The conditional license is not applicable to individuals employed as speech pathologists. To be issued the Special Education Conditional License an individual must:

- a. Be employed by a Virginia public or nonpublic school and have the recommendation of the employing educational agency;
- b. Hold a baccalaureate degree from an accredited college or university;

- c. Have an assigned mentor endorsed in special education; and
- d. Have a planned program of study in the assigned endorsement area and have completed a minimum of six semester hours in the core competencies of characteristics of students with disabilities and legal aspects associated with students with disabilities.

During the three years the Special Education Conditional License is valid, the individual must complete all requirements for the special education endorsement area, complete professional studies requirements, and meet Virginia's professional teacher's assessment requirement prescribed by the Board of Education.

6. Pupil Personnel Services License. The Pupil Personnel Services License is a five-year, renewable license available to an individual who has earned an appropriate graduate degree from an accredited institution with an endorsement for guidance counselor, school psychologist, school social worker, or visiting teacher. This license does not require teaching experience.

7. Division Superintendent License. The Division Superintendent License is a five-year, renewable license available to an individual who has completed an earned master's degree from an accredited institution of higher education and meets the requirements specified in 8VAC20-21-590. The individual's name must be listed on the Board of Education's list of eligible division superintendents.

8. “Eligibility License” means a one-year license dated July 1-June 30. The “eligibility license” is issued upon successful completion of level I of the career switcher program. This license requires a bachelor’s degree from a regionally accredited institution; the completion of teaching area requirements for an endorsement in a content area as set forth in the Board of Education’s licensure requirements outlined in the publication, *Licensure Regulations for School Personnel*, July 1, 1998, or the equivalent through verifiable experience or academic study; and Virginia qualifying scores on Praxis I (Reading, Writing, and Mathematics) and Praxis II (subject area assessments). If the “eligibility license” expires prior to the individual receiving employment in Virginia, the license holder must reapply for the second “eligibility license.” The intensive program (level I) must be repeated if the individual has not gained employment prior to the expiration of the second “eligibility license.”

B. All licenses will be effective from July 1 in the school year in which the application is made.

8VAC20-21-80. Alternative route to licensure.A. “Career Switcher” Alternative Route to Licensure for Military Personnel

An alternative route is available to military personnel career switchers who seek teaching endorsements pre-K through grade 12, with the exception of special education.

1. An individual seeking an “eligibility license” must meet the following requirements: an application process; a bachelor’s degree from a regionally accredited institution; the completion of teaching area requirements for an endorsement in a content area as set forth in the Board of Education’s licensure requirements outlined in the publication, *Licensure Regulations for School Personnel*, July 1, 1998, or the equivalent through verifiable experience or academic study; and Virginia qualifying scores on Praxis I (Reading, Writing, and Mathematics) and Praxis II (subject area assessments). The “eligibility license” is awarded at the end of Level I preparation. All components of the career switcher alternative route for military personnel must be completed by the candidates.

2. The professional studies requirements must be completed during the course of a single year through the following three levels of preparation that may be offered through a variety of delivery systems. Preparation programs must be approved by the Virginia Department of Education:

a. Intensive Level I Preparation Phase includes, but is not limited to, the following:

- (1) Introduction to Classroom Management;
- (2) Introduction to the Standards of Learning;
- (3) Introduction to Teaching Strategies; and
- (4) Field Experience with Summer School Students.

b. Level II Preparation During First Year of Employment

- (1) Candidate seeks employment with the one-year “eligibility license”;
- (2) Continued Level II preparation during the first year of employment; and
- (3) One year of successful, full-time teaching experience in an accredited public or nonpublic school under the newly-created one-year “eligibility license.” A trained mentor must be assigned to assist the candidate through the alternative route.

c. Level III Preparation Continued

- (1) Post preparation (if needed);
- (2) Recommendation from employer for a renewable license; and
- (3) Issuance of the five-year renewal license.

3. Verification of program completion will be documented by the program provider and the superintendent, or designee.

4. Delivery systems of the career switcher for the alternative route to licensure must adhere to requirements specified by the Board of Education when proposals are requested. The programs must include the prescribed scope and sequence of preparation as well as evaluation of the candidate and overall program evaluation. These programs must be approved by the Department of Education.

A B. An alternative route is available to individuals employed by an educational agency who seek teaching endorsements pre-K through grade 12.

1. An individual seeking a Provisional License through the alternative route must meet the requirements specified in 8VAC20-21-50 A 4.
2. The professional studies requirements for the appropriate level of endorsement sought must be completed. A Virginia educational agency may submit to the Superintendent of Public Instruction for approval an alternative program to meet the professional studies requirements. The alternative program must include training (seminar, internship, course work, etc.) in human growth and development, curriculum and instructional procedures (including technology), foundations of education, and reading.
3. One year of successful, full-time teaching experience in the appropriate teaching area in an accredited public or nonpublic school must be completed. A fully-licensed experienced teacher must be available in the school building to assist the beginning teacher employed through the alternative route.

Issues

Please provide a statement identifying the issues associated with the final regulatory action. The term "issues" means: 1) the advantages and disadvantages to the public of implementing the new provisions; 2) the advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, please include a sentence to that effect.

The advantages of implementing the new regulations are: (1) increasing the pool of qualified teachers, many of whom are interested in teaching in critical teacher shortage areas; (2) increasing the diversity among the teaching pool; and (3) providing an alternative delivery system to prepare teachers who bring life experiences to the classroom.

Statement of Changes Made Since the Proposed Stage

Please highlight any changes, other than strictly editorial changes, made to the text of the proposed regulation since its publication.

No revisions have been proposed.

Public Comment

Please summarize all public comment received during the public comment period and provide the agency response. If no public comment was received, please include a statement indicating that fact.

SUMMARY OF COMMENTS

**AMENDMENT TO THE LICENSURE REGULATIONS
TO ESTABLISH THE “CAREER SWITCHER” ALTERNATIVE
ROUTE TO LICENSURE FOR MILITARY PERSONNEL**

Comment Received By: Virginia Association of Colleges for Teacher Education (VACTE)

*Dr. Ronald Diss, Emory and Henry College,
President, ATE-VA*

*Dr. James McCrory, Mary Baldwin College,
President, VACTE*

Date Comment Received: June 22, 2000 (public hearing)

Summary of Comment:

VACTE submitted the following comments for consideration:

- **Standards.** The regulation specifies that candidates in the career switcher program will have to meet the standards required for other career switchers who are enrolled in state-approved program *or the equivalent through verifiable experience or academic study.* More specificity is needed to define such equivalency for all career switchers. We find that many career switchers are challenging the additional time and tuition required to complete the content courses required by the new licensure regulations. If these are justifiable standards for other candidates, these requirements should not be waived for the career switcher program.
- **Results.** Validated performance standards need to be established for completers of the career switcher model other than the recommendation of the program provider and the superintendent’s designee.

- **Program Design.** Two obvious flaws in the design for the pilot program are the intensity of the summer experience (15 days) and the lack of meaningful supervised clinical experience in the schools before the candidates assume full responsibilities of teaching. Three Fridays in a summer school classroom is totally inadequate.
 - *Provide teaching internships during summer school.
 - *Lighten the teaching load of the candidates in their first year of teaching.
 - *Extend the Level II professional study during the summer following the first year of teaching.
 - *Extend the timeframe to become eligible for the five-year, renewable license.
- **Funding.** \$1.375 million was appropriated for clinical faculty/mentor teacher programs to support approximately 4,000 new teachers, whereas, over \$400,000 was appropriated to support the career switcher program. Compare the cost to career switchers in state-approved programs who must pay for their Praxis testing, compete for 150 scholarship loans with thousands of other candidates, and be supported by mentor teachers who probably will not be adequately trained or compensated because of limited state funding.
- **Stewardship for State Resources.** Students in state-approved programs who are awarded Virginia Scholarship Loans of up to \$3,720 per year must pay back the loans unless they teach in Virginia for periods proportional to their loans. However, participants in the state's career switcher model apparently will incur no obligation to teach in Virginia.
- **Program Evaluation.** VACTE recommends that further implementation of a state-sponsored career switcher program be delayed until 2002-03 in order to utilize the results of the pilot program evaluations, including performance evaluations and retention rates of career switchers in the pilot model and other programs.
- VACTE recommends for the 2001-02 year involvement of all stakeholders in developing a coherent set of licensure program options based on common standards that are essential for the preparation of effective teachers.

During the public comment period and the public hearing held June 22, 2000, only one comment was received from Dr. Ronald Diss, president, ATE-VA, and Dr. James McCrory, president, the Virginia Association of Colleges for Teacher Education (VACTE).

Based on the comment received, no revision in the proposed amendment to the licensure regulation is needed. Some of the items addressed in the one comment received are program recommendations that have been considered but do not require regulatory change.

The comment received addressed the following components of the program:

Standards: The comment stated that more specificity is needed to define the equivalency of meeting requirements through verifiable experience or academic study. The regulations are clear that the individual must meet the Praxis requirement as a prerequisite to the program. These tests assess the individuals' knowledge in basic skills and the teaching area requested. In addition, the regulations state that the individual must meet the requirements in *the Licensure Regulations for School Personnel* or the equivalent verifiable experience or academic study. The assessment of the individuals' experiences and academic study will be based on the competencies set forth in the licensure regulations. The intent of the requirement is to allow some flexibility in assessing individuals' rich life and educational experiences; therefore, no change in the proposed regulatory change is needed.

Results: The comment concerns performance standards. The candidates do have to meet the Praxis assessment as students enrolled in approved programs. A formal evaluation of the program will be conducted by the end of the 2000-2001 school year and included with the final report. The program evaluation will consist of two levels: institutional (evaluating the success in the implementation of the "career switcher" program) and the individual (assessing the performance of the candidates in the program). The final evaluation will involve program participants and other stakeholders. Components of the evaluation will include, but not be limited to, the following: program design, program curriculum, candidates' performance, program providers, mentor teacher support, mentor teacher training, and retention of teachers in the program.

Program Design: The regulations do not dictate the exact number of clock hours in the program, just as approved programs are not subject to a mandated number of clock hours (semester hours) in their programs. The competencies set forth in the licensure regulations must be appropriately addressed in the program. The regulations intentionally do not list the number of hours as they may vary from one program delivery. College and university programs differ in the number of hours provided in professional studies. This program should have the same flexibility as the institutions of higher education; therefore, no change in the regulations is recommended.

As a result of the evaluation of the pilot program, the number of hours in the summer intensive program has been recommended to be increased from a minimum of 135 to 180 hours. The exact number of hours, however, do not need to be designated in the regulations. Colleges and universities may also adjust hours and courses in their programs to align their program with the competencies in the licensure regulations.

Funding: This comment concerns the amount of money appropriated by the General Assembly to support the mentor teacher component of the military career switcher program versus the amount of money appropriated for clinical teacher/mentor teacher programs to support beginning teachers across the state. This comment is a funding issue and does not require any revision in the licensure regulations.

Stewardship for State Resources: The General Assembly appropriated funding for the career switcher program for the first two years of operation; therefore, there was no charge to

candidates in the pilot program. Future funding is uncertain; therefore, participants may be required to pay for the preparation in the future.

Program Evaluation: This section of the comment requests an opportunity to review “the details of the state’s career switcher pilot program evaluation design and protocols” and refers to comparing costs of approved programs for career switchers for the cost of the career switcher program for military personnel. The proposed regulations do not address program costs as they may vary depending upon funding and program delivery. The regulations do not need to address the issue of individuals requesting to review the evaluation design and protocol of the program as this is information that can be provided upon request. Revisions to the regulatory language are not appropriate in this regard.

Detail of Changes

Please detail any changes, other than strictly editorial changes, that are being proposed. Please detail new substantive provisions, all substantive changes to existing sections, or both where appropriate. This statement should provide a section-by-section description - or crosswalk - of changes implemented by the proposed regulatory action. Include citations to the specific sections of an existing regulation being amended and explain the consequences of the changes.

No changes are proposed.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The amendment to the Licensure Regulations for School Personnel does not have a direct impact on the family and family stability. The regulations do provide an alternative route for military personnel to become prepared as teachers thereby increasing their opportunities for employment as teachers.